

REMARKS

Applicants acknowledge receipt of the Examiner's Office Action dated October 4, 2005. All pending claims 16-40 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent 6,335,927 B1 issued to Isaac K. Elliott et al. ("Elliott") and further in view of U.S. Patent Publication Number 2002/0095400 filed by Scott C. Johnson et al. ("Johnson"). In light of the foregoing amendments and following remarks, Applicants respectfully request the Examiner's reconsideration and reexamination of all pending claims.

As noted above, all claims stand rejected under 35 U.S.C. § 103 as being unpatentable over Elliott in view of Johnson. The present application has a very early filing date of April 4, 2000. Johnson is a patent application that published July 18, 2002, based upon an application which was filed June 12, 2001. Both of these dates are subsequent to the April 4, 2000, filing date of the instant application. Johnson was filed as a continuation-in-part of Application Number 09/797,200 filed on March 1, 2001, which claims priority to Provisional Application Number 60/246,401 filed on November 7, 2000 and Provisional Application Number 60/187,211 filed on March 3, 2000. Of all the foregoing dates, only March 3, 2000, predates the filing of the instant application. Applicants do not have access to Application Number 09/797,200 filed on March 1, 2001. Moreover, Applicants do not have access to Provisional Application Numbers 60/246,401 filed on November 7, 2000, or 60/187,211 filed on March 3, 2000. Johnson was cited in the Office Action as teaching several limitations of the above-referenced claims. However, only Provisional Application Number 60/187,211 has a filing date which predates the April 4, 2000, filing date of the instant application. Unless Provisional Application Number 60/187,211 contains the text relied on to reject claims of the instant application, Applicants assert that it is improper to reject claims under 35 U.S.C. § 103 as being unpatentable over Elliott in

view of Johnson. Applicant requests the Examiner to provide a copy of Provisional Application Number 60/187,211 along with an identity of the locations in this document where reliance can be found for rejecting the claims of the instant application.

Claims 16, and 22-24 recite providing a service that receives service location information from each of the plurality of services. This claim language is very clear. The Office Action asserts that column 30, lines 27-48 of Elliott discloses providing a management service that receives service location information from each of the plurality of services. Applicants have reviewed column 30 lines 27-48 of Elliott and can find not find any teaching or fair suggestion of the clear limitations set forth above, either alone or in combination with the remaining limitations of independent claims 16, and 22-24. Column 30, lines 27-48 of Elliott describe service features. Specifically, column 30, lines 27-48 describe how service features have specific data input requirements, which are derived from the data input requirements of underlying capabilities. This cited section of Elliott also describes data output behavior of a server feature as being defined by the creator of the service feature, based upon data available from the underlying capabilities. This cited section of Elliott gives two examples of service features: time base routing and authentication. Column 30, lines 27-40 of Elliott also recites, “*Time-based routing – based on capabilities such as a calendar, date/time, and call objects, this feature allows routing to different locations based upon time.*” This last quoted portion of Elliott is the only instance in which the term location or its derivatives is mentioned. The aforementioned portion of Elliott does not teach or fairly suggest receiving server location information. In other words, Applicants assert that a broad interpretation of receiving server location information from each of the plurality of services, is not taught or fairly suggested in column 30, lines 27-48 of Elliott. Because column 30 lines 27-48 of Elliott does not teach or

fairly suggest “providing a service that receives service location information from each of the plurality of services” either alone or in combination with the remaining limitations of independent claims 16, and 22-24, Applicants assert that claims 16, and 22-24 are patentably distinct over Elliott in view of Johnson.

Claims 16, and 22-24 also clearly require a generation of a service location map comprising a listing of the plurality of services and server location information. This claim language is also very clear. The Office Action asserts that column 30, lines 27-48 of Elliott discloses these claim limitations. Applicants have reviewed column 30 lines 27-48 of Elliott and can find not find any teaching or fair suggestion of these clear limitations, either alone or in combination with the remaining limitations of independent claims 16, and 22-24. As noted above, column 30, lines 27-48 of Elliott mentions routing to different locations, but no other mention is made of generating a service location map comprising a listing of the plurality of services and server location information. Applicants asserts that a broad interpretation of generating a service location map comprising a listing of the plurality of services and server location information, it not taught or fairly suggested in column 30, lines 27-48 of Elliott. For this reason, Applicants assert that independent claims 16 and 22-24 are patentably distinguishable over Elliott in view of Johnson.

In rejecting independent claim 16, the Office Action admits that Elliott does not disclose the act of providing a registration service where an agent machine can register as a subscriber and receive a subscriber identification, or the act of providing a log on service where the agent machine can connect using the subscriber information. The Office Action asserts that Johnson teaches a way to track content delivery use. Specifically, the Office Action asserts that Johnson teaches that content delivery bandwidth use may be tracked and logged, thereby enabling an

operator of the content delivery system to charge each content supplier or user on the basis of the content line delivery, citing page 10, paragraph 95 in support thereof. Assuming for this Office Action response only that Johnson is properly citable as prior art to the instant claims, Applicants assert that paragraph 95 of Johnson does not teach or fairly suggest a registration service where an agent machine can register and receive a subscriber identification, let alone a log on service where the agent machine can connect using the subscriber information. Again, this claim language is very clear and not taught or fairly suggested in paragraph 95 of Johnson. As such, Applicants assert that independent claim 16 is patentably distinguishable over the combination of Elliott and Johnson.

Independent claim 25 does not contain any of the limitations that can be found within independent claims 16 and 22-24. Notwithstanding, the Office Action rejected independent claim 25 using the same rationale that was used to reject independent claim 16, and 22-24. Applicants request removal of the current 35 U.S.C. § 103 rejection of independent claim 25. Notwithstanding, Applicants presume the Office Action asserts the limitations of independent claim 25 can be found within column 107, lines 41-60 of Elliott. If Applicants' presumption is correct, Applicants respectfully disagree with the assertion that the limitations of independent claim 25 can be found within column 107, lines 41-60 of Elliott. Column 107, lines 41-60 generally described receipt by SNMS of events from network elements and other network management systems. This cited section of Elliott also describes receiving network topology, configuration, and maintenance data from various external systems. Elliott in the cited section then describes the type of network elements that generate from events. Lastly, the cited section of Elliott describes how PIM use 106 scan SS7 packets that pass across SS7 circuits, analyze for fault conditions, and generate network events that are then passed onto SNMS. This cited

section also describes how statistics are generated on the performance of the SS7 circuits being monitored. Independent claim 25 recites changing a setting on a network device to establish a network physical connection to an agent machine wherein the network physical connection complies with the requirement for the agent machine to use a service. Changing the setting of a network device to establish a network physical connection that complies with the requirement of an agent machine is a fairly clear concept and cannot be reasonably equated with column 107, lines 41-60 description of a device receiving events, network topology, configuration, and maintenance data, or monitoring SS7 circuits. Accordingly, Applicants assert that independent claim 25 is patentably distinguishable over Elliott.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5086.

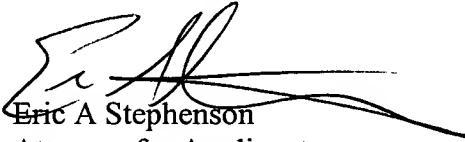
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 28, 2005.



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12/28/05
Date of Signature

Respectfully submitted,


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